

PR4



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,913	07/26/2000	Albert Henricus Franciscus de Heer	GDT1P002	8216

22434 7590 08/07/2002

BEYER WEAVER & THOMAS LLP  
P.O. BOX 778  
BERKELEY, CA 94704-0778

EXAMINER

AL-HASHEMI, SANA A

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 08/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

# Office Action Summary

Application No.

09/625,913

Applicant(s)

DE HEER ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/26/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

Please fill in the application numbers in the cross-references to related applications on page 1.

### *Double Patenting*

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-28 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-23 of copending Application No. 09/625745. In view of Blinn (US Patent No. 5,999,914)

This is a provisional obviousness-type double patenting rejection.

The client 1-21 of application 09/625745 one restatement, rearranging parts and minor modification to the elements and the instant claims. In particular:

1. Regarding Claim 1, claim 1 of the 09/625745 application is a verbatim reproduction, absent the step of "distributing the product data". However Blinn discloses the step of "distributing data". It would have been obvious to one of ordinary skill in the art at the time of the invention to add/modify the invention to include the step of distributing the product data in

Art Unit: 2171

the 09/625745 invention, as suggested by Blinn, with the motivation of making the product data accessible to users.

***Claim Rejections - 35 USC § 103***

Claim 1-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Maxwell et al. (US Patent No. 5,675,784) and further in view of Blinn et al. (US Patent No. 5,999,914)

2. Regarding Claim 1, Maxwell discloses all the element subject matter except for the distributing the product data. On the other hand, Blinn discloses the method of distributing data (see column 1, lines 6-9, Blinn). It would have been obvious to one of ordinary skill in the art to add/modify Maxwell with Blinn by adding the step of distributing data, with the motivation of distributing the data to the consumer in an electronic catalog

capturing product data for a product according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more. Categories being defined by an attribute group having one or more attributes (see Fig. 13, column 7, lines 10-67, Maxwell);

storing the product data, wherein the stored product data is suitable for use in an electronic catalog(see column 8, lines 1, Maxwell);

distributing the product data (see column 1, lines 6-9, Blinn).

3. Regarding Claim 2, The combination of Maxwell and Blinn discloses a method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file (see column 17, lines 1-7, Blinn);

mapping the customer product portfolio file to the system product data file such that each product that is not in the system product data file is identified (see column 17, lines 9-15, Blinn);

Art Unit: 2171

capturing data for the product that is not in the system product data file (see column 7, lines 20-52, Maxwell);

adding the captured data for the product to the system product data file (see column 7, lines 18-20, Maxwell).

4. Regarding Claims 3, and 4, the combination of Maxwell and Blinn discloses a method further including:

generating component data for the product from the system product data file, wherein the component data includes at least one of a product description, technical specifications, a marketing description, an image(see column 9, lines 42-49, Blinn).

5. Regarding Claim 5, and 6, the combination of Maxwell and Blinn discloses a method further including:

generating enriched product data from the system product data file according to a customer profile, transmitting the enriched product data (see column 1, lines 63-67, column 2, lines 1-5, Blinn);

6. Regarding Claim 6, the combination of Maxwell and Blinn discloses a method wherein the steps of generating enriched product data and transmitting the enriched product data are performed simultaneously with the steps of capturing data, adding the captured data, and generating component data (see column 1, lines 63-67, column 2, lines 1-4, Blinn).

7. Regarding Claim 7, the combination of Maxwell and Blinn discloses a method wherein the customer product portfolio file includes:

a manufacturer SKU associated with a product (see column 11, lines 1-15, Blinn);

Art Unit: 2171

a customer SKU assigned by a customer to the product (see column 9, lines 25-30, Blinn);

a manufacturer identifier for the product that identifies a manufacturer of the product (see column 11, lines 1-5, Blinn);

a product description describing the product (see column 9, lines 27-31, Blinn).

8. Regarding Claim 8, the combination of Maxwell and Blinn discloses a method further including:

retrieving a component definition associated with the component data, the component definition having a section header, a line header, and a line body definition that defines contents and format for a line body which describes the line header (see column 8, lines 24-42, Blinn);

obtaining the contents of the line body from the system product data file and from literals provided in the line body definition (see column 8, 46-50, Blinn);

providing the section header, the line header, and the line body (see column 8, lines 48-50, Blinn).

9. Regarding Claim 9, the combination of Maxwell and Blinn discloses a method further including:

classifying the product in one of a plurality of categories, each of the categories having at least one attribute group that identifies one or more attributes, each of the attributes being associated with one or more values (see column 7, lines 10-67, Maxwell);

wherein the line header identifies an attribute group associated with the product (see column 37, lines 25-27, Blinn).

Art Unit: 2171

10. Regarding Claim 10, the combination of Maxwell and Blinn discloses a method further including:

classifying the product according to a data model (see column 7, lines 9-17, Maxwell);  
extracting information specified by a component definition from the system product data file and the data model(see column 3, lines 35-38, Maxwell);  
building a component descriptor from the extracted information and the component definition (see column 8, lines 2-4, Maxwell).

11. Regarding Claim 11, the combination of Maxwell and Blinn discloses a method further including:

providing the component descriptor in response to a catalog query (see column 8, lines 14-20, Maxwell).

12. Regarding Claim 12, the combination of Maxwell and Blinn discloses a method further including:

storing the component descriptor in a file (see column 1, lines 63-65, Blinn).

13. Regarding Claim 13, the combination of Maxwell and Blinn discloses a method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which data is requested (see column 5, lines 24-30, Maxwell);

mapping the customer product portfolio file to the system product data file such that each product that is not in the system product data file is identified(see column 2, lines 5-11, Maxwell);

Art Unit: 2171

generating enriched product data from the system product data file according to a customer profile; transmitting the enriched product data (see column 2, lines 15-23, Maxwell).

14. Regarding Claim 14, the combination of Maxwell and Blinn discloses a method wherein the customer profile identifies at least one customer, and wherein generating enriched product data from the system product data file according to the customer profile includes:

obtaining a system record associated with a customer from the system product data file (see column 9, lines 23-27, Blinn);

generating a product header for the system record, the product header including a customer SKU associated with the system record (see column 9, lines 54-63, Blinn).

15. Regarding Claim 15, the combination of Maxwell and Blinn discloses a method wherein the product header further includes a system SKU that identifies a product associated with the system record and a category identifier that identifies a category in which the product is classified (see column 11, lines 1-15, Blinn).

16. Regarding Claim 16, the combination of Maxwell and Blinn discloses a method wherein the product header further includes at least one of a manufacturer product description that describes standard features of the product, a product line associated with the product, and a model number associated with the product (see column 8, lines 21-29, Maxwell).

17. Regarding Claim 17, and 18, the combination of Maxwell and Blinn discloses a method wherein the customer profile further includes customer searchable attribute preferences corresponding to each customer, the customer searchable attribute preferences specifying attributes for which values are to be transmitted, the method further including:



Art Unit: 2171

obtaining attribute values for the specified attributes from the system record (see column 5, lines 43-52, Maxwell).

18. Regarding Claim 19, the combination of Maxwell and Blinn discloses a method further including:

producing a list of related products associated with the system record (see column 5, lines 53-65, Maxwell).

19. Regarding Claim 20, the method as recited in claim 19, wherein the list of related products includes the customer SKU associated with the system record and a customer SKU for each of the related products.

20. Regarding Claim 21, the combination of Maxwell and Blinn discloses a method of maintaining catalog data stored in a system product data file, comprising:

receiving a customer product portfolio file that identifies products for which data is requested, the customer product portfolio file including a manufacturer SKU associated with each product, a customer SKU associated with the product, a manufacturer identifier identifying a manufacturer of the product, and a product description describing the product; and mapping the customer product portfolio file to the system product data file such that each product that is not in the system product data file is identified.

21. Regarding Claim 22, the combination of Maxwell and Blinn discloses a method wherein mapping the customer product portfolio file includes:

ascertaining whether the manufacturer identified in the customer product portfolio file is new, the manufacturer being a new manufacturer if the manufacturer is not identified in the system product data file; and

Art Unit: 2171

if the manufacturer is new, assigning a manufacturer identifier to the new manufacturer such that the manufacturer identifier is stored in the system product data file.

22. Regarding Claim 23, the combination of Maxwell and Blinn discloses a method wherein mapping the customer product portfolio file includes:

determining whether the customer SKU in the customer product portfolio file is new, the customer SKU being new if the customer SKU is not identified in the system product data file (see column 14, lines 53-62, Blinn);

if the customer SKU is new, creating a new system SKU such that the new system SKU is mapped in the system product data file to the customer SKU (see column 15, lines 14-24, Blinn).

23. Regarding Claim 24, the combination of Maxwell and Blinn discloses a method further including:

classifying the new system SKU according to a data model, the data model including one or more classes, each of the one or more classes including one or more categories (see column 9, lines 10-28, Maxwell).

24. Regarding Claim 25, the combination of Maxwell and Blinn discloses a method further including:

determining whether the customer SKU is invalid (see column 13, lines 16-19, Blinn);  
reporting the customer SKU if it is determined to be invalid (see column 13, lines 20-25, Blinn).

25. Regarding Claim 26, the combination of Maxwell and Blinn discloses a method of querying a catalog database, the catalog database including

Art Unit: 2171

product data for one or more products, each of the products being classified in at least one of a plurality of categories, the product data for each product including a set of attributes corresponding to the category within which the product is classified, each of the attributes having at least one attribute value, the method comprising:

accepting a selection of at least one of the set of attributes corresponding to one of the plurality of categories (see column 6, lines 59-63, Maxwell);

accepting a selection of products within the one of the plurality of categories (see column 6, lines 63-66, Maxwell);

obtaining one or more attribute values corresponding to the selected attributes for each of the selected products from the catalog database (see column 10, lines 30-31, Maxwell);

displaying the obtained attribute values for the selected products (see column 10, lines 33-36, Maxwell).

26. Regarding Claim 27, the combination of Maxwell and Blinn discloses a method where displaying the obtained attribute values for the selected products includes assigning normalized numeric values to the obtained attribute values (see column 10, lines 58-65, Maxwell).

27. Regarding Claim 28, the combination of Maxwell and Blinn discloses a method of querying a catalog database including data for one or more products classified according to a data model, the method comprising:

accepting a user query specifying a product and a component to be retrieved, the component being at least one of a product description, technical specifications, a marketing description, an image, and a URL associated with the product (see column 12, lines 54-59, Maxwell);

Art Unit: 2171

obtaining a component definition associated with the component (see column 12, lines 60-62, Maxwell);

extracting information specified by the component definition from the catalog database and the data model (see column 12, lines 62-67, Maxwell);

building a component descriptor from the extracted information and the component definition (see column 14, lines 41-50, Maxwell).

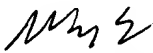
Art Unit: 2171

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9098. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

---

Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
July 29, 2002

  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER